

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

NOVEMBER 17, 2010

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.***

CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 5:30 p.m.

ROLL CALL

Councilmembers present:	Bragg, McCoy, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

CLOSED SESSION

MOTION BY KING, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER:

Pursuant to Government Code Section 54956.8:

Property: 800 Seacoast Drive, Imperial Beach, CA 91932, APN 625-262-01-00

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Imperial Coast LTD Partnership

Under Negotiation: Instruction to Negotiators will concern price and terms of payment

MOTION CARRIED UNANIMOUSLY.

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, CITY ATTORNEY LYON announced direction was given to Agency negotiators and had no reportable action.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

ROLL CALL

Councilmembers present:	Bragg, McCoy, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY ROSE, SECOND BY BRAGG, TO TAKE ITEM NO. 6.6 IMMEDIATELY AFTER THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

COUNCILMEMBER BRAGG invited the community to an event at the Skate Park on Saturday in celebration of its grand opening.

COUNCILMEMBER ROSE announced the Skate Park ribbon cutting and grand opening ceremony is scheduled tomorrow at 3:00 p.m.

MAYOR JANNEY presented a letter of commendation to Jovon Parris Quarles for completing Basic Underwater Demolition training with the United States Navy and achieving a Navy SEAL student's highest honor.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1.1)

1.1 UPDATE ON THE RESPONSIBLE RETAILER PROGRAM. (0240-07)

SHERIFF'S DEPUTY BLACK gave a PowerPoint presentation on the Responsible Retailer Program and recognized Joel Gonzales, a Mar Vista graduate and Institute for Public Strategies volunteer, for his extensive work on the program.

CONSENT CALENDAR (2.1 - 2.3)

MOTION BY MCCOY, SECOND BY BRAGG, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.3. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of October 20, 2010, and the Regular and Special City Council Meeting of November 3, 2010.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 72005 through 72097 with the subtotal amount of \$437,137.24 and Payroll Checks 43284 through 43325 for the pay period ending 10/21/10 with the subtotal amount of \$146,978.00, for a total amount of \$584,115.24

2.3 RESOLUTION NO. 2010-6967 – AMENDING FY 09-11 SALARY AND COMPENSATION PLAN TO ADD THE POSITION DESCRIPTION AND SALARY RANGE FOR GIS ADMINISTRATOR. (0520-75)

Adopted resolution.

REPORTS (6.6)

6.6 RESOLUTION NO. R-10-236 – ALLOCATING UP TO \$40,000 FROM NON-HOUSING REDEVELOPMENT FUNDS TO BE USED FOR THE INITIAL DUE DILIGENCE AND CONCEPTUAL DESIGN OF LIBRARY IMPROVEMENTS IN IMPERIAL BEACH. (0150-20 & 0640-20)

CITY MANAGER BROWN gave a report on the item.

MAYOR JANNEY spoke in support of the item.

MOTION BY JANNEY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-10-236 – AUTHORIZING UP TO \$40,000 FOR DUE DILIGENCE AND CONCEPTUAL DESIGN FOR IMPROVEMENTS OF LIBRARY FACILITIES IN IMPERIAL BEACH. MOTION CARRIED UNANIMOUSLY.

ORDINANCES – INTRODUCTION/FIRST READING (3.1 - 3.3)

3.1 ORDINANCE NO. 2010-1112 – UPDATING CHAPTER 8.32 AMENDING THE CITY’S STANDARD URBAN STORMWATER MITIGATION PLAN (SUSMP) TO INCLUDE CRITERIA FOR HYDROMODIFICATION MANAGEMENT. (0770-85)

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2010-1112.

CITY CLERK HALD read the title of Ordinance No. 2010-1112, "An Ordinance of the City Council of the City of Imperial Beach, California, UPDATING CHAPTER 8.32 AMENDING THE CITY’S STANDARD URBAN STORMWATER MITIGATION PLAN (SUSMP) TO INCLUDE CRITERIA FOR HYDROMODIFICATION MANAGEMENT."

MOTION BY KING, SECOND BY BRAGG, TO DISPENSE FIRST READING OF ORDINANCE NO. 2010-1112 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING, AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

3.2 ORDINANCE NO. 2010-1113 – ADOPTING THE MODEL CODES CONTAINED IN THE 2010 CALIFORNIA BUILDING STANDARDS CODE (CBSC), PART OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS AND THE ADOPTION OF THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, INCLUDING LOCAL AMENDMENTS FOR THE CITY OF IMPERIAL BEACH. (0710-95)

CITY MANAGER BROWN introduced the item.

BUILDING OFFICIAL ADAME gave a PowerPoint presentation on the item.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2010-1113.

CITY CLERK HALD read the title of Ordinance No. 2010-1113, "An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING TITLES 8 AND 15 OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING CHAPTERS 8.50, 15.06, 15.16, 15.28, AND 15.32, ADDING CHAPTERS 15.02, 15.04, 15.38, AND 15.40 AND REPEALING CHAPTERS 8.88, 15.18, AND 15.36, ALL BY ADOPTING THE CALIFORNIA BUILDING STANDARDS CODE, 2010 EDITION, WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND ADOPTING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION."

MOTION BY MCCOY, SECOND BY KING, TO DISPENSE FIRST READING OF ORDINANCE NO. 2010-1113 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING, AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

3.3 ORDINANCE NO. 2010-1114 – AMENDING CHAPTER 5.20 OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, AND 2009 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS. (0710-95)

CITY MANAGER BROWN reported on the item and spoke about the added construction costs due to the need for sprinklers in new homes or larger additions (information submitted as Last Minute Agenda Information).

City Council expressed concern about the increase in construction costs due to the requirement for automatic sprinklers for remodels, reconstructions or additions that surpasses 50% of the existing square footage threshold; there was support for introducing the ordinance with the exception of Section 9 – Fire Sprinkler Systems; there was a request of City Council for staff to return with additional analysis including: statistics on the spread of single family residential fires, response times to fires, information on what other jurisdictions adopted regarding sprinklers, and to consider other options for large homes on small lots such as only requiring sprinklers for second story remodels.

CITY ATTORNEY LYON advised that should City Council proceed with the first reading and introduction of Ordinance No. 2010-1114, Chapter 9 – Fire Sprinkler Systems (appearing on pages 5 and 6) should be deleted.

MAYOR JANNEY called for the first reading of the title of Ordinance No. 2010-1114.

CITY CLERK HALD read the title of Ordinance No. 2010-1114, "An Ordinance of the City Council of the City of Imperial Beach, California, AMENDING CHAPTER 5.20 OF THE IMPERIAL BEACH MUNICIPAL CODE BY ADOPTING THE CALIFORNIA FIRE CODE, 2010 EDITION, AND 2009 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS."

MOTION BY JANNEY, SECOND BY ROSE, TO DISPENSE FIRST READING OF ORDINANCE NO. 2010-1114 WITH AS MODIFIED BY THE CITY ATTORNEY AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING, AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1 - 6.5 & 6.7)

6.1 UPDATE FOR REGULAR COASTAL PERMIT (CP 100014), CONDITIONAL USE PERMIT (CUP 100015), SITE PLAN REVIEW (SPR 100016) – CERTIFIED FARMER'S MARKET ("IMPERIAL BEACH FARMER'S MARKET") LOCATED AT PIER PLAZA IN THE PF (PUBLIC FACILITIES) ZONE. MF 1036. (0130-30 & 0600-20)

A revised #2 Condition of Approval – Planning was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

ASSOCIATE PLANNER FOLTZ gave a PowerPoint presentation on an update report on the Farmer's Market and noted the following issues and corresponding recommendations as amendments to the CUP: hours of operation (adjusting winter hours to 2:00 p.m. to 7:00 p.m. subject to a \$100 fee for the extra hour of operation), Public Safety inspection fees (inspection to occur on a monthly basis, and that the frequency and cost of the safety inspections are subject to the discretion of the Public Safety Director), market cleanliness (establish a cleaning and maintenance account that will be charged to the applicant on an as needed basis), market cancellations (allow for cancellations for other events and when City staff is not available), market updates (staff will monitor market operations and return to City Council with periodic updates as deemed necessary by the City Manager) and long-term impacts to Pier Plaza (aesthetic proposals/modifications are subject to design review by the Community Development Department); and he reported on the wear to Pier Plaza due to increased activity at the site.

In response to concern expressed about wear and tear, and rubbish at Pier Plaza, and how to address these issues as time goes on, COMMUNITY DEVELOPMENT DIRECTOR WADE stated staff is working on a process in which the Market would be responsible for cleanup; he noted there is no way to effectively eliminate these issues and there will be wear and tear with usage.

MIKE BIBBEY spoke favorably of the Farmer's Market.

JILL LINDER, President of IB Beautiful; thanked the City Council for their support and thanked staff for their cooperation and hard work.

DEANNA ROSE, of IB Beautiful, requested as much notification time as possible when scheduled Market dates are cancelled, she asked for permanent signage at the location and for banners on light poles; and she requested the lights be serviced and/or replaced.

Council discussion ensued. It was discussed that when cancelling scheduled Farmer's Market dates, enough notice should be given for vendors to register for another event; it was suggested an annual schedule showing holidays be posted and publicized; there was support to keep the market open during the holiday; there was concern expressed regarding long-term damage to Pier Plaza and it was suggested trucks be kept on the street as an option to mitigate deterioration of facilities.

MAYOR JANNEY directed staff to return to City Council with an update report on wear and tear to Pier Plaza in the spring and for staff to return with changes to the CUP at the City Council meeting of December 15; he also directed staff to present an update report on all of the Port of San Diego leases.

Council also requested lighting issues be addressed; Council suggested the Farmer's Market explore other funding opportunities.

6.2 MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN HOTEL. (0660-43)

The Project Schedule as submitted at the October 20, 2010 Council meeting was submitted as Last Minute Agenda Information.

COUNCILMEMBER BRAGG left Council Chambers at 7:41 p.m. due to a potential conflict interest due to the location of her employment.

ALLISON ROLFE, Project Manager for Pacifica, reported the construction documents and shoring plans were submitted on Tuesday; they continue to work with City staff to get the DDA and ground lease completed in order to bring them forward for Council's consideration at its meeting of December 1; and she stated financing should be secured by the end of the year with construction commencing at the beginning of 2011.

COUNCILMEMBER BRAGG returned to Council Chambers at 7:47 p.m.

6.3 RESOLUTION NO. 2010-6966 – APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF IMPERIAL BEACH FOR THE PURPOSE OF PROVIDING ANIMAL CARE AND ANIMAL CONTROL SERVICES; AND RESOLUTION NO. 2010-6968 – APPROVING THE PURCHASE OF AN ANIMAL CONTROL VEHICLE WITH AN ANIMAL TRANSPORT UNIT. (0200-10)

CITY MANAGER BROWN gave a report on the item.

City Council expressed concern about the purchase and maintenance costs of an animal control vehicle and there was a suggestion to look at other options such as purchasing a used vehicle or having the City of Chula Vista purchase the vehicle; and there was a request to look at other resources or recourse to better monitor activities along the beach on weekends during the summer and on holidays.

MOTION BY MCCOY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2010-6966 – APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF IMPERIAL BEACH FOR THE PURPOSE OF PROVIDING ANIMAL CARE AND ANIMAL CONTROL SERVICES. MOTION CARRIED UNANIMOUSLY.

6.4 RESOLUTION NO. R-10-235 – AWARDED CAPITAL IMPROVEMENT PROJECT DESIGN SERVICES TO CITY ENGINEER – BDS ENGINEERING – TO WIT STREET IMPROVEMENTS RDA PHASE 4/5 CIP (\$11-105). (0720-25)

COUNCILMEMBER ROSE announced she had a potential conflict of interest on the item due to the location of her residence and was left Council Chambers at 8:12 p.m.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MOTION BY KING, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-10-235 – AWARDED CAPITAL IMPROVEMENT PROJECT DESIGN SERVICES TO CITY ENGINEER - BDS ENGINEERING - TO WIT STREET IMPROVEMENTS RDA PHASE 4/5 CIP (\$11-105). MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS: BRAGG, MCCOY, KING, JANNEY
NOES:	COUNCILMEMBERS: NONE
ABSENT:	COUNCILMEMBERS: NONE
DISQUALIFIED:	COUNCILMEMBERS: ROSE (DUE TO A POTENTIAL CONFLICT OF INTEREST)

COUNCILMEMBER ROSE returned to Council Chambers at 8:19 p.m.

PUBLIC COMMENTS

DONNA ALSUM complained about a citation she received for a boat and recreational vehicles parked in her driveway and questioned how to appeal the citation.

MAYOR JANNEY referred the item to City Manager Brown.

6.5 RESOLUTION NO. 2010-6969 – AUTHORIZING CHANGE ORDER NO. 2 TO SEALING & REPAIRING WET WELLS & MANHOLES W05-401 CONTRACT WITH NEWEST CONSTRUCTION COMPANY AND AUTHORIZING A BUDGET AMENDMENT OF \$63,435 TO THE SEALING & REPAIRING WET WELLS & MANHOLES W05-401 CIP PROJECT. (0830-35)

CITY MANAGER BROWN introduced the item.

MOTION BY ROSE, SECOND BY KING, TO ADOPT RESOLUTION NO. 2010-6969 – AUTHORIZING CHANGE ORDER NO. 2 TO SEALING & REPAIRING WET WELLS & MANHOLES W05-401 CONTRACT WITH NEWEST CONSTRUCTION COMPANY AND AUTHORIZING A BUDGET AMENDMENT OF \$63,435 TO THE SEALING & REPAIRING WET WELLS & MANHOLES W05-401 CIP PROJECT. MOTION CARRIED UNANIMOUSLY.

6.7 DESIGN REVIEW BOARD – TWO (2) TERMS EXPIRING DECEMBER 31, 2010. (0120-30)

MAYOR JANNEY recommended reappointment of members Thomas Schaaf and Daniel Lopez to the Design Review Board in accordance with Chapter 2.18.010.C of the I.B.M.C. The new term of office shall begin January 1, 2011 and expire December 31, 2014.

MOTION BY KING, SECOND BY BRAGG, TO APPROVE MAYOR JANNEY'S APPOINTMENTS OF MEMBERS THOMAS SCHAAF AND DANIEL LOPEZ TO THE DESIGN REVIEW BOARD. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS

ROBERT TAYLOR questioned City Council's action on Item No. 6.6 (SEASIDE POINT NEIGHBORHOOD STOP SIGN ALIGNMENT) at the meeting of September 22.

CITY MANAGER BROWN to contact Mr. Taylor regarding the item.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:28 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk